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Docket No. PHUS-101
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Faour, J. et al.

Serial No.: 10/619,720
Filed: July 15, 2003

Group Art Unit: 1614
Examiner: N/A

For: Drug Delivery Device Containing Neuraminidase Inhibitor and an H1 Antagonist

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

<p style="text-align: center;"><u>CERTIFICATE OF MAILING</u> <u>UNDER 37 C.F.R. § 1.8(a)</u></p> <p>I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 18, 2004.</p> <p style="text-align: center;">Rick V. [Signature] _____ (Typed or Printed Name)</p> <p style="text-align: center;">[Signature] _____ (Signature)</p>

INFORMATION DISCLOSURE STATEMENT

The following sections are submitted for this Information Disclosure Statement:

1. X Preliminary Statements
2. FORM PTO - 1449
3. Statement As To Information Not Found in Patents or Publications
4. X Identification Of Prior Application In Which Information Was Cited And For Which No Copies Are Submitted Or Need Be Submitted
5. Cumulative Patents or Publications
6. Translation(s) of Non-English Language Documents
7. Concise Explanation of Non-English Language Listed Information Items
8. Copies of Listed Information Items Accompanying This Statement
9. X Identification of Person(s) Making This Information Disclosure Statement

Section 1. Preliminary Statements

Applicant submits herewith patents, publications or other information which may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 CFR 1.56(g)), or as an admission that the information cited is, or is considered to be, material to patentability.

The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner.

Section 2. FORM PTO - 1449

No Form PTO - 1449 is enclosed herewith.

Section 3. Statement As To Information Not Found In Patents Or Publications (Information not listed in PTO 1449)

Section 4. Identification Of Prior Application In Which Information Was Cited And for Which No Copies Are Submitted Or Need Be Submitted

This application relies, under 35 U.S.C. 120, on the earlier filing date of prior application S/N 09/907,486, filed on July 17, 2001.

Section 5. Cumulative Patents or Publications

_____ is cumulative of the following patents or publications listed on Form PTO 1449:

In accordance with 37 CFR 1.98(c) a copy of only _____ is being submitted with this information disclosure statement.

Section 6. Translation(s) of Non-English Language Documents

- ☐ Submitted herewith is an English translation of the following foreign language patents, publications or information or of those portions of those patents, publications or information considered to be material.
- ☐ No English language translations of the foreign language patents, publications or information or parts thereof are readily available, except for those listed above.
- ☐ The following foreign language documents submitted are believed to be the equivalent or substantial equivalent of the English language documents identified below, which are also submitted herewith.

Section 7. Concise Explanation of Non-English Language Listed Information Items

Section 8. Copies of Listed Information Items Accompanying This Statement

Legible copies of all items listed in Form PTO-1449 accompany this information statement.

- ☐ Exception(s) to above
- ☐ Items in prior application from which an earlier filing date is claimed for this application as identified in Section 4.
- ☐ Cumulative patents or publications identified in Section 5.

Section 9. Identification of Person(s) Making This INFORMATION DISCLOSURE STATEMENT

The person making this statement is

- (a) ☐ the inventor(s) who signs below

Signature of Inventor

Typed name of inventor

- (b) ☒ the agent who signs below on the basis of:

☐ information supplied by the inventor(s)

_____ information supplied by an individual associated with the filing and prosecution of this application (37 CFR 1.56(c))

X information in the agent's file

It is respectfully requested that the references identified in this Information Disclosure Statement be considered by the Examiner, be made a part of the official record, and be cited in the issued patent.

Respectfully submitted,

Date: _____

6/18/4
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